

STATUS OF CLAIMS:

Claims 8, 11, 27, 30 and 33-37 are pending in the application. Claims 35-37 are withdrawn from consideration.

ELECTION/RESTRICTIONS:

Claim 35-37 were added in the amendment filed on October 15, 2004, to describe that an inner portion of the light-shielding member is in sliding contact with an outermost portion of the box main body when the lid is removed from the box main body.

The Examiner has withdrawn claims 35-37 from consideration because she originally thought that these new claims were directed to an invention that is independent or distinct from the invention originally claimed. As noted in the previous Amendment dated April 1, 2005, Applicant did not agree with the Examiner and therefore traversed the withdrawal of claims 35-37.

Applicant thanks the Examiner for the teleconference of August 17, 2005, where it was explained how claims 35-37 are supported by elected Species I (Figures 1-6). As would be appreciated by one skilled in the art and as shown in at least Figure 4, the light-shielding member has an inner portion (i.e., inside face of elements 48B and 48C). The inside portion will contact sides 46B and 46C of the box main body 46 when the printing plate packaging box is closed. Therefore, when the lid 48 is removed, the inner portions of the light shielding member will slide along the outermost portion of the box main body (i.e., sides 46B and 46C). After personally discussing the above-noted support with the Examiner, she appeared to obtain a better understanding of how claims 35-37 are supported by the elected species. Accordingly, Applicant submits that claims 35-37 should be examined.

35 U.S.C. § 112:

Claims 8, 11, 27, 30 and 33-34 are rejected under 35 U.S.C. § 112, second paragraph, because the Examiner alleges that the phrase (in claims 8, 30 and 33) "said light-shielding

member being circumferentially larger than said box main body such that said light-shielding member surrounds and covers an outermost portion of said box main body" is vague. This is because the Examiner is interpreting the light-shielding member as being an upper surface of the walls of the box main body itself.

Applicant respectfully informs the Examiner that the light shielding member is part of the lid and not part of the box main body. For example, claims 8, 11 and 33 recite the light shielding member as being "connected to the opening/closing lid." Moreover, in the Amendment filed on September 3, 2002, it was submitted that the light shielding member may be represented by the exemplary embodiment of Figure 4 that shows a side plate portion 48B at a long edge side of the lid and a side plate portion 48C at a short edge side of the lid. This feature was also discussed with the Examiner during the above-noted teleconference, wherein the Examiner appeared to understand that the light shielding member is part of the lid and not part of the box main body.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

35 U.S.C. § 102 and 35 U.S.C. §103 - Kudo:

Claims 8, 27, 30 and 33 are rejected under 35 U.S.C. §102(b) and 35 U.S.C. § 103(a) as being anticipated by and unpatentable over Kudo (U.S. Patent No. 4,992,815).

Claims 8, 30 and 33 were previously amended to recite that the light-shielding member is circumferentially larger than the box main body such that the light-shielding member surrounds and covers an outermost portion of the main body.

The Examiner originally believed that the circumferential peripheral edge of the lid 14 is circumferentially larger than the box main body *opening* of the box main body 13 and surrounds and covers an outermost portion of the main body *opening*. However, claims 8, 30 and 33 do not recite that the light-shielding member is circumferentially larger than a box main body "opening." Rather claims 8, 30 and 33 recite that:

“said light-shielding member being circumferentially larger than said box main body such that said light-shielding member surrounds and covers an outermost portion of said box main body.”

Applicant, therefore, submits that claims 8, 30 and 33 require the light-shielding member to be not only larger than the box main body opening, but also larger than the outermost portion of the box main body itself. The peripheral edge of the applied lid 12 in Kudo is circumferentially smaller than the box-main body 13 of Kudo. This can be observed from the lid 12 of Kudo (see Figure 1) and its features being disclosed within the groove of the applied box main body 13. This aspect was discussed with the Examiner during the interview and resulted in the Examiner obtaining a better appreciation of the claims.

Thus, Applicant submits that the cover 14 of Kudo is not circumferentially larger than an outermost portion of the box 13. Moreover, there is no motivation to modify the cover of Kudo to have the claimed features. Accordingly, claims 8, 30 and 33 are neither anticipated by Kudo nor obvious in view of Kudo, such that the rejections thereof under 35 U.S.C. § 102(b) and 35 U.S.C. §103(a) should be withdrawn. The rejections of dependent claim 27 should also be withdrawn, at least by virtue of claim 27 depending upon claim 8.

35 U.S.C. § 103 - Dirx:

Claims 8, 27, 30 and 33

Claims 8, 27, 30 and 33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dirx (U.S. Patent No. 5,893,002).

Applicant respectfully submits that Dirx fails to teach or suggest the features of claims 8, 30 and 33. This is because these claims recite, *inter alia*, that the photosensitive printing plates are in direct contact with the box main body. Dirx does not teach or suggest this feature, but instead teaches explicitly to use the wrapping foils 11 and 12 such that the light-sensitive film sheets are not in contact with the applied box main body 20. Applicant also submits that the art, in general, does not provide motivation to modify Dirx to have the claimed features because Dirx teaches that the wrapping foils 11 and 12 are needed to protect the light-sensitive film sheets.

Further, Applicant submits that the alleged light shielding member of Dirx (i.e., frame 41) is not circumferentially larger than an outermost portion of the box 20 in Dirx. Moreover, there is no motivation to modify the frame 41 of the Dirx to have the claimed features.

Accordingly, the features of claims 8, 30 and 33 are neither taught nor suggested by Dirx, such that the rejection should be withdrawn. The rejection of dependent claim 27 should also be withdrawn, at least by virtue of claim 27 depending upon claim 8.

35 U.S.C. §103 - Kudo/Dirx/Lerner:

Claims 11 and 34

Claims 11 and 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over either of Kudo or Dirx in view of Lerner (U.S. Patent No. 5,495,944).

Lerner discloses a medicine-type bottle, which the Examiner points out includes a shrink wrap. However, the shrink wrapping of an entire bottle with a thin polymeric film, as is often used on medicine bottles, would not have taught or suggested the presently claimed features of claim 11, which include a sheet-type material having a smooth and airtight surface that is adhered to an outer surface of an opening and closing lid of a printing plate packaging box. The lack of motivation to combine the medicine bottle shrink wrap with Kudo or Dirx was also discussed during the above-noted interview, where the Examiner did not contest the undersigned's explanation.

Accordingly, Applicant respectfully requests that the rejection of claims 11 and 34 under 35 U.S.C. §103(a) be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No.: 09/921,713

Attorney Docket No.: Q65607

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

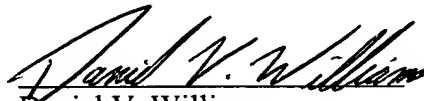
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Daniel V. Williams
Registration No. 45,221

Date: November 1, 2005